

UNITED STATES DISTRICT COURT

for the
Western District of WashingtonFILED
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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTYIn the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)Information associated with account 100006827347382
that is stored at premises controlled by Facebook Inc.,
as more fully described in Attachment A.

Case No.

MJ19-579

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Information associated with account 100006827347382 that is stored at premises controlled by Facebook Inc., as more fully described in Attachment A, incorporated herein by reference.

located in the Northern District of California, there is now concealed (identify the person or describe the property to be seized):

See Attachment B, incorporated herein by reference.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☐ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

21 U.S.C. § 841(a)(1)
21 U.S.C. § 841 & 846

Offense Description

Distribution of, and Possession with Intent to Distribute, Controlled Substances (heroin and methamphetamine)
Conspiracy to Distribute Controlled Substances

The application is based on these facts:

- ☒ See Affidavit of FBI Special Agent Shawna McCann continued on the attached sheet.

- ☒ Delayed notice of days (give exact ending date if more than 30 days: 02/21/2020) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

Pursuant to Fed. R. Crim. P. 4.1, this warrant is presented: ☐ by reliable electronic means; or: ☐ telephonically recorded.

Applicant's signature

Shawna McCann, FBI Special Agent

Printed name and title

- ☒ The foregoing affidavit was sworn to before me and signed in my presence, or
- ☐ The above-named agent provided a sworn statement attesting to the truth of the foregoing affidavit by telephone.

Date:

12-3-19

Judge's signature

City and state: Seattle, Washington

Mary Alice Theiler, United States Magistrate Judge

Printed name and title

AFFIDAVIT OF SHAWNA MCCANN

STATE OF WASHINGTON)
) SS
COUNTY OF KING)

I, SHAWNA MCCANN, a Special Agent with the Federal Bureau of Investigation, Seattle, Washington, having been duly sworn, state as follows:

AFFILIANT BACKGROUND

1. I am employed as a Special Agent (SA) with the Federal Bureau of Investigation (FBI) and have been employed with the FBI since September 2017. I am currently assigned to the Seattle Field Division where I am a member of the violent crime, gang, and Transnational Organized Crime – Western Hemisphere squad. In this capacity, I investigate, *inter alia*, violations of the Controlled Substance Act, Title 21, United States Code, Section 801 et seq. and related offenses. I have received specialized training in the enforcement and investigation of the Controlled Substance Act. I have received over 400 hours of classroom training including, but not limited to, drug identification, drug interdiction, money laundering techniques and schemes, smuggling, and the investigation of individuals and/or organizations involved in the illegal possession, possession for sale, sales, importation, smuggling, manufacturing, and illicit trafficking of controlled substances.

2. In my role as a Special Agent for the FBI, I have participated in narcotics investigations (i.e., heroin, cocaine, marijuana, and methamphetamine) which have resulted in the arrest of individuals and the seizure of illicit narcotics and/or narcotic-related evidence and the forfeiture of narcotics related assets. I have been involved in the service of federal and state search warrants as part of these investigations. I have encountered and have become familiar with various tools, methods, trends, paraphernalia and related articles utilized by various traffickers in their efforts to import, export, conceal and distribute controlled substances. I am also familiar with the manner in which drug traffickers use telephones, often cellular telephones, to conduct their unlawful

1 operations, and how they code their conversations to disguise their unlawful activities. I
2 am also familiar with the various methods of packaging, delivering, transferring, and
3 laundering drug proceeds. Additionally, through my training and experience, I can
4 identify illegal drugs by sight, odor, and texture.

5 3. I have also worked on drug investigations involving the use of court-
6 authorized wiretaps under Title III. In that capacity, I have had the opportunity to
7 monitor, listen to, and review transcripts and line sheets (prepared by linguists)
8 documenting the content of hundreds of intercepted conversations involving the
9 trafficking of cocaine, methamphetamine, heroin, and other narcotics, by persons who
10 used some form of code to thwart law enforcement detection. I have also interviewed
11 defendants at the time of their arrest and have debriefed, spoken with, and/or interviewed
12 numerous drug dealers or confidential sources (informants) at proffer and field interviews
13 who were experienced in speaking in coded conversation over the telephone. From these
14 interviews, and also from discussions with other experienced agents, I have gained
15 knowledge regarding the various methods, techniques, codes, and/or jargon used by drug
16 traffickers in the course of their criminal activities, including their use of firearms to
17 protect their narcotics related activities and of cellular telephones, other electronic means
18 to facilitate communications while avoiding law enforcement scrutiny.

19 4. I have written affidavits in support of court authorized federal warrants and
20 orders in the Western District of Washington for GPS tracking of telephones, Pen
21 Register/Trap and Trace, and search warrants. Additionally, I have testified in grand jury
22 proceedings, written investigative reports, and conducted and participated in numerous
23 interviews of drug traffickers of various roles within drug organizations, which has
24 provided me with a greater understanding of the methods by which drug trafficking
25 organizations operate.

26 5. I have obtained the facts set forth in this affidavit through my personal
27 participation in the investigation described below; from oral and written reports of other
28 law enforcement officers; and from records, documents and other evidence obtained

1 during this investigation. I have obtained and read official reports prepared by law
2 enforcement officers participating in this investigation. When I refer to registration
3 records for vehicles, I am relying on records obtained from the Washington State
4 Department of Licensing (DOL). Insofar as I have included event times in this affidavit,
5 those event times are approximate.

6 6. Because this affidavit is being submitted for the limited purpose of
7 obtaining a search warrant for the Facebook account referenced below, I have not
8 included every fact known to me concerning this investigation. Rather, I have set forth
9 only the facts that I believe are necessary for a fair determination of probable cause and
10 to show that there is probable cause to issue the requested warrant.

11 **PURPOSE OF THIS AFFIDAVIT**

12 7. This affidavit is being submitted pursuant to Federal Rule of Criminal
13 Procedure 41 and 18 U.S.C. § 2703(c)(1)(A) in support of an application to obtain a
14 search warrant authorizing Facebook to disclose to the government records and other
15 information in its possession, pertaining to the subscriber or customer associated with the
16 following Facebook account as further described in Attachment A incorporated herein.
17 There is probable cause to believe that this Facebook account is being used for the
18 purposes of drug trafficking. As discussed below, I, along with other agents, have been
19 actively investigating the JIMENEZ-HERNANDEZ TCO, including obtaining court-
20 authorized wiretaps on seven phones used by the organization. The Facebook account of
21 this current application has not been the subject of any prior warrant or wiretap
22 applications.

23 a. "Gonzalo Villasenor Godinez," with the Facebook ID number
24 100006827347382, and URL: Facebook.com/GONZALO.villasenorgodinez.1

25 8. All of the requested information is stored at a premises owned, maintained,
26 controlled, or operated by Facebook, a social networking company headquartered in
27 Menlo Park, California. The information to be searched and seized is described in the
28 following paragraphs and in Attachment B, incorporated herein. As set forth below, there

1 is probable cause to believe that the information sought would provide evidence of
2 violations of drug trafficking crimes in violation of Title 21, United States Code, Sections
3 841 and 846, as well as identify contraband or fruits of crime, property designed or
4 intended for use in crime, and the location of a person to be arrested.

5 **KNOWLEDGE BASED ON TRAINING AND EXPERIENCE**

6 9. Based on my training and experience, and my discussions with other
7 experienced officers and agents involved in drug investigations, I know that drug dealers
8 use cellular telephones, and communication applications downloaded on cellular
9 telephones, as a tool or instrumentality in committing their criminal activity. They use
10 them to maintain contact with their suppliers, distributors, and customers. They prefer
11 cellular telephones and cellular telephone-based communication applications because,
12 first they can be purchased without the location and personal information that land lines
13 require. Second, they can be easily carried to permit the user maximum flexibility in
14 meeting associates, avoiding police surveillance, and traveling to obtain or distribute
15 drugs. Third, they can be passed between members of a drug conspiracy to allow
16 substitution when one member leaves the area temporarily. Since cellular phone use
17 became widespread, every drug dealer I have contacted has used one or more cellular
18 telephone for his or her drug business. I also know that it is common for drug traffickers
19 to retain in their possession phones that they previously used, but have discontinued
20 actively using, for their drug trafficking business. Based on my training and experience,
21 the data maintained in a cellular telephone, and the corresponding communication
22 applications, used by a drug dealer is evidence of a crime or crimes.

23 10. Based on my training and experience, traffickers will utilize Facebook and
24 its messaging service "Facebook Messenger" to communicate with each other as well as
25 to facilitate their narcotics trafficking activities. At times, even when agents are
26 intercepting phone conversations with targets, we will not get all of the communications
27 of the target due to the target's use of email and third party applications such as
28 "WhatsApp" and/or Facebook.

1 11. I know through training and experience, including experience with this
2 investigation, that individuals involved in the distribution of controlled substances and
3 other criminal activity often use coded words and inferences when referring to their
4 illegal activity. I have used this training and experience, as well as the training and
5 experience of other law enforcement officers familiar with this investigation, to include
6 what I believe to be an accurate translation for these coded words and inferences which
7 are included in brackets in this affidavit. The following summaries are based on my
8 review of the line sheets of intercepted communications, and from my discussions with
9 other law enforcement officers familiar with this investigation who have reviewed the
10 line sheets. Although these line sheets provide an accurate summary of the intercepted
11 communications, they are not necessarily the final transcripts of the intercepted
12 communications. The paragraphs herein include the summaries of pertinent portions of
13 intercepted calls and are not necessarily the entire conversations between the parties
14 involved. Based on my training and experience, and the training and experience of other
15 agents, in summarizing these calls in this affidavit I have included my understanding of
16 certain coded language in brackets.

17 **BACKGROUND KNOWLEDGE OF FACEBOOK**

18 12. Facebook owns and operates a free access social networking website of the
19 same name that can be accessed at <http://www.facebook.com>. Facebook allows its users
20 to establish accounts with Facebook, and users can then use their accounts to share
21 written news, photographs, videos, and other information with other Facebook users, and
22 sometimes with the general public.

23 13. Facebook asks users to provide basic contact and personal identifying
24 information to Facebook, either during the registration process or thereafter. This
25 information may include the user's full name, birth date, gender, contact e-mail
26 addresses, Facebook passwords, Facebook security questions and answers (for password
27 retrieval), physical address (including city, state, and zip code), telephone numbers,
28

1 screen names, websites, and other personal identifiers. Facebook also assigns a user
2 identification number to each account.

3 **14.** Facebook users may join one or more groups or networks to connect and
4 interact with other users who are members of the same group or network. A Facebook
5 user can also connect directly with individual Facebook users by sending each user a
6 “Friend Request.” If the recipient of a “Friend Request” accepts the request, then the two
7 users will become “Friends” for purposes of Facebook and can exchange
8 communications or view information about each other. Each Facebook user’s account
9 includes a list of that user’s “Friends” and a “News Feed,” which highlights information
10 about the user’s “Friends,” such as profile changes, upcoming events, and birthdays.

11 **15.** Facebook users can select different levels of privacy for the
12 communications and information associated with their Facebook accounts. By adjusting
13 these privacy settings, a Facebook user can make information available only to himself or
14 herself, to particular Facebook users, or to anyone with access to the Internet, including
15 people who are not Facebook users. A Facebook user can also create “lists” of Facebook
16 friends to facilitate the application of these privacy settings. Facebook accounts also
17 include other account settings that users can adjust to control, for example, the types of
18 notifications they receive from Facebook.

19 **16.** Facebook users can create profiles that include photographs, lists of
20 personal interests, and other information. Facebook users can also post “status” updates
21 about their whereabouts and actions, as well as links to videos, photographs, articles, and
22 other items available elsewhere on the Internet. Facebook users can also post information
23 about upcoming “events,” such as social occasions, by listing the event’s time, location,
24 host, and guest list. In addition, Facebook users can “check in” to particular locations or
25 add their geographic locations to their Facebook posts, thereby revealing their geographic
26 locations at particular dates and times. A particular user’s profile page also includes a
27 “Wall,” which is a space where the user and his or her “Friends” can post messages,
28

1 attachments, and links that will typically be visible to anyone who can view the user's
2 profile.

3 17. Facebook has a "Photos" application, where users can upload an unlimited
4 number of albums and photos. For Facebook's purposes, a user's "Photoprint" includes
5 all photos uploaded by that user that have not been deleted and other items.

6 18. Facebook users can exchange private messages on Facebook with other
7 users. These messages, which are similar to e-mail messages, are sent to the recipient's
8 "Inbox" on Facebook, which also stores copies of messages sent by the recipient, as well
9 as other information. Facebook users can also post comments on the Facebook profiles
10 of other users or on their own profiles; such comments are typically associated with a
11 specific posting or item on the profile. In addition, Facebook has a "Chat" feature that
12 allows users to send and receive instant messages through Facebook. These chat
13 communications are stored in the chat history for the account. Facebook also has a
14 "Video Calling" feature, and although Facebook does not record the calls themselves, it
15 does keep records of the date of each call.

16 19. If a Facebook user does not want to interact with another user on Facebook,
17 the first user can "block" the second user from seeing his or her account.

18 20. Facebook has a "Like" feature that allows users to give positive feedback or
19 connect to particular pages. Facebook users can "like" Facebook posts or updates, as
20 well as webpages or content on third party (i.e., non Facebook) websites. Facebook users
21 can also become "fans" of particular Facebook pages.

22 21. Facebook has a search function that enables its users to search Facebook for
23 keywords, usernames, or pages, among other things.

24 22. Each Facebook account has an activity log, which is a list of the user's
25 posts and other Facebook activities from the inception of the account to the present. The
26 activity log includes stories and photos that the user has been tagged in, as well as
27 connections made through the account, such as "liking" a Facebook page or adding
28

1 someone as a friend. The activity log is visible to the user but cannot be viewed by
2 people who visit the user's Facebook page.

3 23. Facebook "Notes" is a blogging feature available to Facebook users, and it
4 enables users to write and post notes or personal web logs ("blogs"), or to import their
5 blogs from other services, such as Xanga, LiveJournal, and Blogger.

6 24. The Facebook "Gifts" feature allows users to send virtual "gifts" to their
7 friends that appear as icons on the recipient's profile page. Gifts cost money to purchase,
8 and a personalized message can be attached to each gift. Facebook users can also send
9 each other "pokes," which are free and simply result in a notification to the recipient that
10 he or she has been "poked" by the sender.

11 25. Facebook also has a "Marketplace" feature, which allows users to post free
12 classified ads. Users can post items for sale, housing, jobs, and other items on the
13 Marketplace.

14 26. In addition to the applications described above, Facebook also provides its
15 users with access to thousands of other applications on the Facebook platform. When a
16 Facebook user accesses or uses one of these applications, an update about that the user's
17 access or use of that application may appear on the user's profile page.

18 27. Facebook uses the term "Neoprint" to describe an expanded view of a given
19 user profile. The "Neoprint" for a given user can include the following information from
20 the user's profile: profile contact information; News Feed information; status updates;
21 links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists,
22 including the friends' Facebook user identification numbers; groups and networks of
23 which the user is a member, including the groups' Facebook group identification
24 numbers; future and past event postings; rejected "Friend" requests; comments; gifts;
25 pokes; tags; and information about the user's access and use of Facebook applications.

26 28. Social networking providers like Facebook typically retain additional
27 information about their users' accounts, such as information about the length of service
28 (including start date), the types of service utilized, and the means and source of any

1 payments associated with the service (including any credit card or bank account number).
2 In some cases, Facebook users may communicate directly with Facebook about issues
3 relating to their accounts, such as technical problems, billing inquiries, or complaints
4 from other users. Social networking providers like Facebook typically retain records
5 about such communications, including records of contacts between the user and the
6 provider's support services, as well as records of any actions taken by the provider or
7 user as a result of the communications.

8 29. Therefore, the computers of Facebook are likely to contain all the material
9 described above, including stored electronic communications and information concerning
10 subscribers and their use of Facebook, such as account access information, transaction
11 information, and other account information.

12 SUMMARY OF PROBABLE CAUSE

13 **Jimenez-Hernandez Trans-National Criminal Organization**

14 30. Beginning in December 2018, DEA, Snohomish Regional Drug Task Force
15 (SRDTF), Skagit County Drug Task Force (SCDTF), and Seattle Police Department
16 Narcotics (SPD) began investigating a drug trafficking organization (DTO) operating
17 within the Western District of Washington. Through the use of confidential source
18 information and traditional investigative techniques, agents¹ identified several
19 individuals, including Christian JIMENEZ-HERNANDEZ, Martin Esteban QUINONEZ-
20 LUQUE, Gonzalo VILLASENOR, Jocelyn LEYVA-CASTELLANOS, and Julio Cesar
21 RAMIREZ-MENESES, involved in the distribution of methamphetamine, heroin, and
22 counterfeit oxycodone, commonly referred to as M30s.

23 //

24 //

25 _____
26
27 ¹ When I use the term "agents" throughout the affidavit I am referring to law enforcement personnel, to include, but
28 not limited to DEA and FBI agents and task force officers; Seattle Police Department sergeants, detectives and
officers; and Snohomish Regional Drug and Gang Task Force detectives, and other agents and officers involved in
this investigation.

Authorization of Wire and Electronic Communications

31. On October 15, 2019, the Honorable James L. Robart, United States District Judge for the Western District of Washington, signed an Order authorizing interception of wire and electronic communications of 425-345-8051 (TT3) used by Gonzalo VILLASENOR, 425-410-6962 (TT4) used by Gonzalo VILLASENOR, and 206-578-9119 (TT6) used by Julio Cesar RAMIREZ-MENESES. In doing so, Judge Robart found probable cause to believe that TT3, TT4, and TT6 were being used to further drug trafficking and related offenses. Interception pursuant to that order began that day and is ongoing, and has strengthened investigators' belief that VILLASENOR, RAMIREZ-MENESES, and their associates are distributing narcotics in the Western Washington area.

32. On October 21, 2019, the Honorable Mary Alice Theiler, United States Magistrate Judge for the Western District of Washington, signed an order authorizing real-time GPS tracking and court authorization for the installation and monitoring of a pen register and trap and trace device for three target telephones, TT11² (360-202-5932), TT12 (206-661-7401), and TT13 (425-528-4845, believed to be used by Francisco CARRILLO).

33. On October 22, 2019, the Honorable Mary Alice Theiler, United States Magistrate Judge for the Western District of Washington, signed an order authorizing real-time GPS tracking and court authorization for the installation and monitoring of a pen register and trap and trace device for three target telephones, TT7 (425-443-4979), TT10 (206-574-8656), and TT14 (360-722-2984).

34. On October 29, 2019, the Honorable Mary Alice Theiler, United States Magistrate Judge for the Western District of Washington, signed an order authorizing real-time GPS tracking and court authorization for the installation and monitoring of a

² On October 24, 2019, the phone provider for TT11 advised agents that the phone number of 360-202-5932 changed to 206-669-4690 but the IMSI for the phone device remained the same; therefore, agents were able to continue receiving GPS tracking and pen register and trap and trace data on TT11 under the existing court order.

pen register and trap and trace device for three target telephones, TT15 (425-948-9793), TT16 (541-730-0001), and TT17 (206-460-9015), and a search warrant for the use of a cell site simulator to identify a cellular device used by Ruben VALENCIA ACEVEDO (TTA).

35. On October 31, 2019, the Honorable Paula McCandlis, United States Magistrate Judge for the Western District of Washington, signed an order authorizing real-time GPS tracking and court authorization for the installation and monitoring of a pen register and trap and trace device for three target telephones, TT18 (425-921-0597), TT19 (206-581-5661), and TT20 (425-791-6612).

36. On November 6, 2019, the Honorable Michelle L. Peterson, United States Magistrate Judge for the Western District of Washington, signed an order authorizing real-time GPS tracking and court authorization for the installation and monitoring of a pen register and trap and trace device for three target telephones, TT21 (425-499-5560), TT22 (206-929-8323), and TT23 (206-353-2038).

37. On November 22, 2019, the Honorable Ricardo S. Martinez, United States District Judge for the Western District of Washington, signed an Order authorizing the continued interception of wire and electronic communications of 425-345-8051 (TT3) used by Gonzalo VILLASENOR, 425-410-6962 (TT4) used by Gonzalo VILLASENOR; the initial interception of wire and electronic communications of 206-460-9015 used by Bryan POLLESTAD (TT17), 206-929-8323 used by Manuel PANTOJA (TT22), and 206-970-2993 used by Bryan POLLESTAD (TT24)³; and the initial interception of wire communications only of 541-730-0001 used by Jesus DE LEON. In doing so, Judge Martinez found probable cause to believe that TT3, TT4, TT17, TT22, TT24, and TT16 were being used to further drug trafficking and related offenses. Interception pursuant to that order began that day and is ongoing, and has strengthened investigators' belief that

³ On November 26, 2019, agents obtained a revised wiretap Order from Judge Martinez to correct the area code of TT24 from 206-970-2993 to 425-970-2993.

VILLASENOR, RAMIREZ-MENESES, and their associates are distributing narcotics in the Western Washington area.

PROBABLE CAUSE AS TO TARGET SOCIAL MEDIA 1 (TSM1)

Identification of VILLASENOR as the User of TSM1

38. On October 22, 2019, at approximately 8:39 a.m., agents intercepted a call from an unidentified female using phone number 206-226-9498 ("UF9498") to VILLASENOR (using TT3) (Session 583). During the call, UF9498 said it got disconnected from Facebook. VILLASENOR reassured UF9498 that he had tried calling her yesterday, but UF9498 said she did not have any missed calls. VILLASENOR said he thought UF9498 had something important to tell him. UF9498 confirmed she had something important to tell VILLASENOR and that was why she was checking on Facebook and wondering why VILLASENOR had not called her. VILLASENOR said he would call UF9498 later so she could tell him the important information. VILLASENOR asked UF9498 to send him a message, and UF9498 agreed.

39. On November 4, 2019, at approximately 8:42 a.m., agents intercepted a call from VILLASENOR (using TT3) to a male referred to as Hector using phone number 52-1-317-121-6646 ("Hector") (Session 1315). During the call, VILLASENOR told Hector to tell his mother to go on Facebook because VILLASENOR has sent the photo. VILLASENOR again told Hector to tell her to go on Facebook because VILLASENOR had sent the code [possibly a code for a wire transfer of money].

40. Agents conducted an online search for VILLASENOR's Facebook account and identified TSM1 as a possible match. TSM1 listed a username of "Gonzalo Villaseenor Godinez." TSM1 allowed limited public access to wall posts and posted/uploaded photographs, which agents reviewed. One photograph posted by the user of TSM1 on April 11, 2018, showed a Hispanic male standing in front of a black Hummer H2 with a Washington license plate of "BFY8145" visible in the photograph. A law enforcement database search conducted on November 23, 2019, showed that the black Hummer H2 bearing Washington license plate BFY8145 was registered to

1 "VILLASENOR, GONZALO" at address "15700 44TH AVE W., APT F201,
2 LYNNWOOD, WA 98087." During the course of this investigation, agents have
3 conducted surveillance of VILLASENOR on numerous occasions and identified 15700
4 44th Ave W., Apt F201, Lynnwood, Washington as a residence frequented by
5 VILLASENOR. Additionally, in October and November 2019, surveillance frequently
6 observed VILLASENOR driving the black Hummer H2 bearing Washington license plate
7 BFY8145.

8 **41.** Agents also reviewed several other photographs posted on **TSM1**,
9 including the current and previous profile pictures, and observed the same Hispanic male
10 in different locations and poses, including "selfies." Agents compared the photographs
11 on **TSM1** to known photographs of VILLASENOR, including a Department of Licensing
12 photograph, and positively identified the user of **TSM1** as VILLASENOR. I believe the
13 Facebook page is still being utilized by VILLASENOR because he updated his Facebook
14 "Cover photo" on **TSM1**, to a photograph of himself and three females, as recent as
15 November 18, 2019.

16 **42.** The content agents are able to view is limited and is only what is displayed
17 for public viewing on VILLASENOR's Facebook pages. I was not able to view private
18 content associated with VILLASENOR's Facebook page because I am not "friends" with
19 him on Facebook. In addition, I believe there is more content available on **TSM1** that is
20 not public to other users that would be beneficial in furthering this investigation. I know
21 from my training and experience that individuals utilize Facebook to communicate with
22 each other or post videos publicly of their activities so their friends can view it. They
23 also post illicit activity to "brag" and show off to other members involved in illicit
24 activity. I believe VILLASENOR is likely doing the same thing, but I have been unable
25 to view any such content due to his account restricting certain information from public
26 view.

27 //

28 //

1 November 13, 2019 Consent Search of Julio Cesar RAMIREZ-MENESES's Cell Phone

2 **43.** On November 13, 2019, remote video surveillance of the residence located
3 at 11753 SE 225th Court, Kent, Washington showed a silver Mazda bearing Washington
4 license plate BQN5917 parked in front of the residence. A male, later identified to be
5 Julio Cesar RAMIREZ-MENESES based on a Mexican passport he provided to law
6 enforcement, was observed with a box near the trunk of the silver Mazda. From previous
7 surveillance and investigation of RAMIREZ-MENESES, agents knew RAMIREZ-
8 MENESES to conceal narcotics in boxes. Accordingly, agents directed a marked police
9 unit to contact RAMIREZ-MENESES in the silver Mazda while it was parked in a public
10 parking lot. RAMIREZ-MENESES was informed that he was under investigation for
11 narcotics violations, and RAMIREZ-MENESES responded by stating he had previously
12 worked with law enforcement and wanted to help the agents.

13 **44.** Agents searched RAMIREZ-MENESES before placing him in the marked
14 patrol unit to speak with him. During the person search, agents located approximately
15 one ounce of methamphetamine in RAMIREZ-MENESES's front right pocket. While
16 agents were speaking to RAMIREZ-MENESES, Detective Jamie Sturgile of Tukwila
17 Police Department deployed a narcotics detecting dog around the exterior of the silver
18 Mazda. Upon performing the K9 "sniff," the K9 alerted at the driver's door, indicating a
19 positive presence of narcotics odor.

20 **45.** RAMIREZ-MENESES provided agents with verbal consent, which was
21 recorded, to search his cell phone and verbal and written consent to search his residence.
22 During the search of RAMIREZ-MENESES's residence at 11735 SE 225th Ct, Kent,
23 Washington, agents seized approximately six pounds of suspected methamphetamine and
24 a small amount of suspected heroin. During the search of RAMIREZ-MENESES's cell
25 phone, agents identified a Facebook messenger application downloaded on RAMIREZ-
26 MENESES's cell phone that contained several communication strings, including a
27 communication string in Spanish and English between RAMIREZ-MENESES and
28

1 VILLASENOR (using **TSM1**). DEA-contracted linguists translated the Spanish
2 communications into English, and the translations are quoted in part below.

3 Facebook Messages Between **TSM1** and RAMIREZ-MENESES About Drug Trafficking

4 **46.** The following conversation occurred in the Facebook messenger
5 communication string between VILLASENOR (using **TSM1**) and RAMIREZ-
6 MENESES on October 30, 2019:

7 RAMIREZ-MENESES: Listen, I want to start looking for people
8 [suppliers/distributors of narcotics] again.

9 RAMIREZ-MENESES: On top of being already forced. I need to make
10 something [earn money from narcotics transactions]. The cold is coming
11 [cold weather is coming and less money will be coming in].

12 RAMIREZ-MENESES: Let's see how you are doing [check the quality of
13 narcotics VILLASENOR is getting] so I can work with you like before
14 [resume conducting narcotics trafficking with VILLASENOR].

15 RAMIREZ-MENESES: Or what do you think?

16 **TSM1**: Well, there is a way for better prices [on narcotics]

17 RAMIREZ-MENESES: Do you have any samples [small quantities of
18 narcotics to test the quality] that you can sell me so I can start moving
19 around [distribute narcotics]?

20 RAMIREZ-MENESES: I would need some 4 oz. of water [4 ounces of
21 methamphetamine] and half of black [1/2 ounce of heroin].

22 RAMIREZ-MENESES: To start looking for people.

23 **TSM1**: Yea, there is a way.

24 [conversation continued later that day]

25 **TSM1**: Okay. Hey, so what are you going to take?

26 RAMIREZ-MENESES: I only need for samples maybe 2 or 3 oz. of water
27 [2-3 ounces of methamphetamine] and one half of more [1/2 ounce of
28 heroin].

1 RAMIREZ-MENESES: Let's see how the people [narcotics
2 manufacturers/suppliers] are doing to make adjustments [improve quality of
3 narcotics].

4 [conversation continued later that day]

5 TSM1: Okay, ready.

6 RAMIREZ-MENESES: How much is it going to be [price for narcotics]?

7 RAMIREZ-MENESES: But give them to me separate [separately package
8 the methamphetamine and heroin].

9 RAMIREZ-MENESES: I didn't bring a scale.

10 TSM1: 200 each water [\$200 for each ounce of methamphetamine] and the
11 half, I am going to give it to you at 250 [\$250 for the 1/2 ounce of heroin].

12 RAMIREZ-MENESES: Okay.

13 RAMIREZ-MENESES: I'm here.

14 47. Based on my training and experience and the Facebook communications
15 referenced above, I believe RAMIREZ-MENESES is arranging to purchase narcotics
16 from VILLASENOR, who is using TSM1 to facilitate the narcotics transaction. I know
17 from my training and experience that "sample" is a common term used for small
18 quantities of narcotics to test the quality and "work" is a common term used for
19 conducting narcotics trafficking. I know from my training and experience that "water" is
20 a common term used for methamphetamine and "black" is a common term used for
21 heroin.

22 48. The following conversation occurred in the Facebook messenger
23 communication string between VILLASENOR (using TSM1) and RAMIREZ-
24 MENESES on October 4, 2019:

25 RAMIREZ-MENESES: [a screenshot with a text message communication
26 between RAMIREZ-MENESES and phone number 425-642-9144
27 ("UI9144")]

28 UI9144: Need 2 pounds [of methamphetamine]

1 UI9144: Good morning can u get me 1 pound [of methamphetamine]

2 RAMIREZ-MENESES: Friend I'm trying to get more clear

3 [methamphetamine] but I have to go get it

4 UI9144: Where

5 UI9144: U need driver

6 UI9144: I have like 5 pounds [of methamphetamine] sold [already

7 lined up customers]

8 [end of screenshot]

9 RAMIREZ-MENESES: Call him or send him a message [telling

10 VILLASENOR to call or text UI9144 about selling UI9144 the 5 pounds of
11 methamphetamine].

12 RAMIREZ-MENESES: He [UI9144] knows me as Julio

13 TSM1: Alright, old man.

14 **49.** Based on my training and experience and the Facebook communications
15 referenced above, I believe RAMIREZ-MENESES is facilitating a narcotics transaction
16 between UI9144 and VILLASENOR, using TSM1 to correspond about the narcotics
17 transaction. I know from my training and experience that "clear" is a common term used
18 for methamphetamine and that "pounds" is a common term used for the unit/quantity of
19 methamphetamine being sold.

20 **50.** The following conversation occurred in the Facebook messenger
21 communication string between VILLASENOR (using TSM1) and RAMIREZ-
22 MENESES on September 12, 2019:

23 RAMIREZ-MENESES: They're bringing me the sample of soda [small
24 quantity of cocaine to test quality]. It's just that the guy told me that we're
25 going to work directly without the ones that are intermediaries [get cocaine
26 directly from the supplier].

27 RAMIREZ-MENESES: Yes, you tell me where.
28

1 RAMIREZ-MENESES: I'm going to bring you the sample [small quantity
2 of cocaine to test quality] as soon as I get it.

3 TSM1: Well over here by Lynnwood

4 TSM1: I'm busy right now but I'll be free in two hours.

5 RAMIREZ-MENESES: Send me an address and a time so that I can go
6 down because of traffic.

7 RAMIREZ-MENESES: The guy [supplier of cocaine] says that if we like it
8 [think the sample is good quality cocaine], he'll give us half a brick [half a
9 kilogram of cocaine] and if we figure we can do it [sell the half kilogram of
10 cocaine], he'll bring us blocks [supply multiple kilograms of cocaine].

11 RAMIREZ-MENESES: He did it, man [delivered the sample of cocaine].
12 All talcum [good quality of cocaine]. I'm going to work [narcotics
13 trafficking/transactions].

14 TSM1: Come over here and then I'll let you know where I am because I'm
15 moving.

16 51. Based on my training and experience and the Facebook communications
17 referenced above, I believe RAMIREZ-MENESES obtained cocaine from an unknown
18 supplier, found the quality of the cocaine to be good, and was discussing getting
19 kilograms of cocaine to distribute with VILLASENOR, using TSM1 to correspond about
20 the narcotics transactions. I know from my training and experience that "soda" and
21 "talcum" are common terms used for cocaine. I know from my training and experience
22 that "a brick" is a common term used for one kilogram of cocaine and that "blocks" is a
23 common term to refer to multiple kilograms of cocaine.

24 52. The following conversation occurred in the Facebook messenger
25 communication string between VILLASENOR (using TSM1) and RAMIREZ-
26 MENESES on September 10, 2019:

27 TSM1: Right now I'm looking for someone to see if they can get them out
28 [sell narcotics pills for VILLASENOR].

1 RAMIREZ-MENESES: Okay

2 RAMIREZ-MENESES: Thanks, dude

3 [Facebook messenger phone call from RAMIREZ-MENESES to TSM1]

4 RAMIREZ-MENESES: Buddy, 26 [narcotics pills] are missing.

5 RAMIREZ-MENESES: There are 274 [narcotics pills total]

6 TSM1: Fucking Gordo said he had only taken 6 [narcotics pills].

7 RAMIREZ-MENESES: He once gave me back 200 [narcotics pills] and 70
8 [narcotics pills] were missing and he told me he only took 10 [narcotics
9 pills].

10 RAMIREZ-MENESES: And what price are you going to give them to me
11 for, dude [price per narcotics pill]?

12 TSM1: 8 pesos [\$8.00 per narcotics pill], or what were you thinking?

13 RAMIREZ-MENESES: Okay, I'll see if I can do something.

14 TSM1: What do you think? Is that good, or what?

15 RAMIREZ-MENESES: Dude, when I started out with you I was making
16 300 and 400 [\$300-\$400 in profit per narcotics transaction]. Right now,
17 man, honestly I'm scraping by. As long as I make something it's good. I'm
18 not going to start haggling. I want to start working [conducting narcotics
19 trafficking/transactions]. The water [methamphetamine] that I gave you, I
20 got it for 1900 [\$1,900 for a pound of methamphetamine] and I reduced it
21 for you to 1750 [\$1,750 for a pound of methamphetamine] because I want
22 them to give me soda [cocaine]. With the ones I broke, I'll be breaking
23 even with about 2,000 in profits for the 10 water [\$2,000 in profits from
24 narcotics transactions of 10 pounds of methamphetamine]. I don't see a loss
25 with the water [methamphetamine transactions] if you don't bet on the soda
26 [cocaine].

27 RAMIREZ-MENESES: I'm going to take 50 tomorrow to see how it goes
28 dude [purchase 50 narcotics pills].

TSM1: I just can't get them out. I'm useless with that too [can't move/sell the narcotics pills]

TSM1: I've gotten nothing out.

53. Based on my training and experience and the Facebook communications referenced above, I believe RAMIREZ-MENESES is discussing narcotics transaction with VILLASENOR, using TSM1 to correspond about the narcotics transaction. I know from my training and experience that amounts of 200 or more commonly refer to narcotics pills and that "8 pesos" commonly refers to \$8.00 per narcotics pill, which is the price VILLASENOR has charged other customers per narcotics pills based on wire communications of VILLASENOR intercepted by agents during the course of the court-authorized wiretap. At this time, agents do not know what specific pills they are referring to; however, VILLASENOR has been known, during the course of this investigation, to traffic counterfeit M30s. I know from my training and experience that "water" is a common term used for methamphetamine and "soda" is a common term used for cocaine.

CONCLUSION

54. Based on the foregoing, there is probable cause to believe that **TSM1** is being used to conduct drug trafficking. Accordingly, there is probable cause to believe that searching the stored records associated with **TSM1** will reveal evidence, fruits, and instrumentalities of distribution and possession with intent to distribute controlled substances, and conspiracy to commit same, in violation of 21 U.S.C. §§ 841(a)(1) and 846. In particular, the search warrant will enable Agents to obtain photographs and messages to/from VILLASENOR in connection with VILLASENOR's drug dealing, allowing investigators to identify co-conspirators, conduct better surveillance of drug activities, locate storage locations, understand connections between already known people and places involved in the conspiracy, and assist in identifying currently unidentified targets.

REQUEST FOR SEALING AND DELAYED NOTICE

55. The investigation remains ongoing, including the use of a wiretap. The wiretap application authorizes interception for up to 30 days, and is expected to last at least until December 21, 2019. However, it is possible, even likely, that investigators will seek to renew interception on some of the target telephones and/or to “spin” to newly identified target telephones. Based on information provided by sources of information and other law enforcement personnel, I believe that the investigation will ultimately lead us to other jurisdictions. I also believe that the investigation will ultimately lead us to numerous other individuals involved in narcotics trafficking. Accordingly, the investigation will most assuredly last more than 90 days. Delayed notification is justified because there is reasonable cause to believe that premature disclosure of this Application will may have an adverse result, as defined in 18 U.S.C. § 2705, including risking the safety of informants, causing flight from prosecution or destruction of evidence, and seriously jeopardizing the investigation by giving the person notified an opportunity to destroy evidence, change patterns of behavior, advise confederates, and flee from prosecution. *See* 18 U.S.C. § 3103a(b)(1). Finally, there is reasonable necessity for the use of the technique described above, for the reasons set forth above. *See* 18 U.S.C. § 3103a(b)(2). I therefore request delayed notice until February 21, 2019 (60 days past the end of the court authorized wiretap), pursuant to 18 U.S.C. § 3103a(b) and Federal Rule of Criminal Procedure 41(f)(3), with leave to request further delays on good cause shown.

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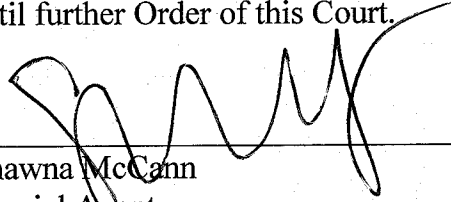
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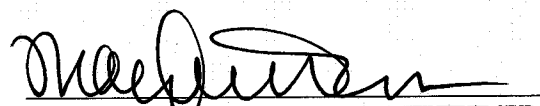
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1 56. In light of the ongoing matter pertaining to the investigation of the
2 JIMENEZ-HERNANDEZ TCO to include the use of Title III intercepts, and to avoid any
3 premature disclosure of the existence of the above-described investigation to anyone who
4 may generally view the files of the clerk of the United States District Court for the
5 Western District of Washington, with the result and risk that the investigation may be
6 compromised, it is requested that this Affidavit, accompanying Application, and Warrant,
7 as well as Pen Register papers, be sealed until further Order of this Court.

8 
9 _____
10 Shawna McCann
11 Special Agent
12 Federal Bureau of Investigation

13 The above-named agent provided a sworn statement attesting to the truth of the
14 contents of the foregoing affidavit on the 3 day of December, 2019.

15
16 
17 _____
18 THE HON. MARY ALICE THEILER
19 United States Magistrate Judge
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ATTACHMENT A

Property to Be Searched

This warrant applies to information associated with the following Facebook account:

“Gonzalo Villasenor Godinez,” with the Facebook ID number 100006827347382, and URL: Facebook.com/GONZALO.villasenorgodinez.1

that is stored at a premises owned, maintained, controlled, or operated by Facebook, a social networking company headquartered in Menlo Park, California.

ATTACHMENT B**Particular Things to be Seized****I. Information to be disclosed by Facebook**

To the extent that the information described in Attachment A is within the possession, custody, or control of Facebook, including any messages, records, files, logs, or information that have been deleted but are still available to Facebook, or have been preserved pursuant to a request made under 18 U.S.C. § 2703(f), Facebook is required to disclose the following information to the government for each user ID listed in Attachment A:

(a) All contact and personal identifying information, including full name, user identification number, birth date, gender, contact e-mail addresses, Facebook passwords, Facebook security questions and answers, physical address (including city, state, and zip code), telephone numbers, screen names, websites, and other personal identifiers.

(b) All activity logs for the account and all other documents showing the user's posts and other Facebook activities;

(c) All Photoprints;

(d) All Neoprints, including profile contact information; News Feed information; status updates; links to videos, photographs, articles, and other items; Notes; Wall postings; friend lists, including the friends' Facebook user identification numbers; groups and networks of which the user is a member, including the groups' Facebook group identification numbers; future and past event postings; rejected "Friend" requests; comments; gifts; pokes; tags; and information about the user's access and use of Facebook applications;

(e) All other records of communications and messages made or received by the user, including all private messages, chat history, video calling history, and pending Friend requests;

(f) All check-ins and other location information;

(g) All IP logs, including all records of the IP addresses that logged into the account;

(h) All records of the account's usage of the "like" feature, including all Facebook posts and all non-Facebook webpages and content that the user has liked;

(i) All information about the Facebook pages that the account is or was a "fan" of;

(j) All past and present lists of friends created by the account;

(k) All records of Facebook searches performed by the account;

(l) All information about the user's access and use of Facebook Marketplace;

(m) The length of service (including start date), the types of service utilized by the user, and the means and source of any payments associated with the service (including any credit card or bank account number);

(n) All privacy settings and other account settings, including privacy settings for individual Facebook posts and activities, and all records showing which Facebook users have been blocked by the account; and

(o) All records pertaining to communications between Facebook and any person regarding the user or the user's Facebook account, including contacts with support services and records of actions taken.

Facebook is hereby ordered to disclose the above information to the government within fourteen (14) days of the date of service of this warrant.

II. Information to be seized by the government

All information described above in Section I that constitutes evidence, fruits or instrumentalities of the crimes of Distribution of controlled substances, and conspiracy, in violation of 21 U.S.C. §§ 841(a)(1) and 846; (with respect to Gonzalo VILLASENOR); as well as all information relevant to the location of VILLASENOR, including:

(a) any and all Wall Posts, private messages, status updates, chat history, friend requests, postings, photographs, or any other information, records, or other material or

1 information that relates to drug trafficking, or activity related to or in furtherance of drug
2 trafficking;

3 (b) any and all IP logs, including all records of the IP addresses that logged
4 into the account, and the dates and times such logins occurred, as well as any other
5 connection information;

6 (c) records relating to who created, used, or communicated with the user ID,
7 including records about their identities and whereabouts;

8 (d) financial records and information, including but not limited to money
9 transfers or wires to Mexico;

10 (f) information identifying the names, location, or other contact information of
11 people in contact with suspected drug traffickers;

12 (g) any information, records, or other material relevant to firearm possession or
13 trafficking by Gonzalo VILLASENOR; and

14 (h) any information, records, or other material relevant to the whereabouts of
15 Gonzalo VILLASENOR.